

REMARKS

The specification has been amended in various places to delete specific references to the claims.

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claim 20 has been made a singularly dependent claim depending from claim 17. In addition, the claims have been amended for clarity.

Applicants believe that the above changes answer the Examiner's 35 U.S.C. 112, paragraph 2, rejection of claim 20, and respectfully request withdrawal thereof.

The Examiner has rejected claims 1, 3-8, 14 and 16-21 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 7,382,886 to Henn et al. in view of U.S. Patent Application Publication No. 2003/0088423 to Nishio et al. The Examiner has further rejected claims 2 and 15 under 35 U.S.C. 103(a) as being unpatentable over Henn et al. Applicants acknowledge that the Examiner has found claims 9-13 allowable over the prior art of record.

Applicants submit that both Henn et al. and Nishio et al. are improper references. In particular, the earliest effective filing date of Henn et al. is July 10, 2002, i.e., the filing date of the corresponding PCT application, while the earliest effective filing date of Nishio et al. is November 1, 2002. However, the subject application, while having a §371 date of October 19, 2004, claims priority under 35 U.S.C. 119 of European Patent Application

No. 02076588.9, filed on April 22, 2002, and European Patent Application No. 02077869.2, filed on July 16, 2002. Certified copies of both of these applications were filed in the subject application by WIPO on October 19, 2004 (see enclosed copies downloaded from PAIR). Further, since both of these priority documents are in English, sworn translations are not required.

In view of the above, Applicants believe that all rejections based on Henn et al. and Nishio et al. should fall.

Applicant believes that this application, containing claims 1-21, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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